

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JIMMY KING,

Defendant.

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8:10CR55

ORDER

This matter is before the court on the defendant's motion to continue trial. The motion is unopposed. The defendant has not filed the affidavit or declaration required by NECrimR 12.1(a) regarding speedy trial; however, for good cause shown,

IT IS ORDERED that the motion to continue trial (Filing 19) is granted, as follows:

1. The jury trial now set for April 20, 2010 is continued to **Tuesday, May 25, 2010**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **April 20, 2010 and May 25, 2010**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because the failure to grant a continuance would deny the defendant reasonable time to obtain counsel, would unreasonably deny the defendant or the Government continuity of counsel, or would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. Defendant shall file an affidavit or declaration regarding speedy trial, in compliance with NECrimR 12.1(a), no later than **April 22, 2010**.

DATED April 15, 2010.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge